



Assistant Commissioner for Patents
Serial No.: 09/764,293
August 15, 2001
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The present application is a continuation of application Serial No. 08/631,411, which was prepared by the Applicant himself and filed on April 12, 1996. The specification of the '411 application included an uncaptioned figure in the body of the specification as page 8. Although submitted as a page of the specification, this page was not numbered. A separate drawing sheet was not submitted at the time of filing. The specification totaled 29 pages, including numbered pages 1-7 and 9-29 and the unnumbered page. When the present continuation application was filed, the filing papers included a copy of the parent application as-filed. This copy thus included the same unnumbered page 8. A separate copy of this page was also submitted as an informal drawing sheet.

The Patent Office issued a Notice to File Corrected Application Papers along with the filing receipt for the application. This Notice indicated that page 8 was believed to be missing from the application. The Notice further stated that if the Applicant believed that the page was in fact included in the application, the Applicant should file a petition with evidence to that effect in a response to the Notice. The Applicant filed a response with a petition under 37 CFR §1.182 on April 5, 2001. Copies of both the Notice and Applicant's response are enclosed herewith.

On July 27, 2001, a Decision Dismissing Petition was issued. This decision, a copy of which is enclosed, indicated that 28 pages (pages 1-7 and 9-29) of the

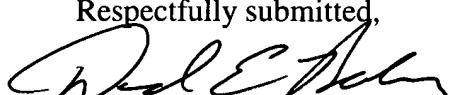
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specification would be afforded the original filing date of January 19, 2001. The unnumbered page is therefore not considered a part of the specification.

Accordingly, the specification of the present application presently includes pages 1-7 and 9-29. As indicated by Supervisory Petitions Examiner Beverly Flanagan in the Decision Dismissing Petition, “[i]t is obvious that page 8 of the specification was not actually missing” when the application was filed. What would have been page 8 has merely been submitted as a drawing. The result is that the specification has a an unwarranted gap in its page numbering. The present amendment eliminates this gap by renumbering pages 9-29 to pages 8-28. No new matter is presented by this change.

The Applicant respectfully requests that the present application be examined, allowed and passed to issue. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

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